



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007


By ECF

The Honorable Lewis J. Liman
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

The motion to intervene and to stay is GRANTED on consent of the appearing defendants and without objection of the plaintiff except that plaintiff may move for entry of default and for default judgment against the non-appearing defendants and without prejudice to a motion by the non-appearing defendants to lift the stay. The Government shall provide a status report every 90 days regarding the status of the criminal case and whether the stay may be lifted. The Clerk of Court is respectfully directed to close Dkt. No. 51.

November 15, 2021

SO ORDERED.


LEWIS J. LIMAN
United States District Judge

Re: CFTC v. Baldwin et al., 21 Civ. 5707 (LJL)

Dear Judge Liman:

Earlier today, the Government filed by ECF a motion to intervene and for a complete stay of discovery in the above-captioned civil action due to the pendency of the criminal case, 21 Cr. 428 (ER). (See Dkt. No. 51, 52). As is noted in the Government's motion, the only parties to appear and file responsive pleadings in the above-captioned civil action, Ross Baldwin and National Coin Broker Inc., consent to the Government's motion, and the CFTC does not oppose the motion.¹

The Government understands that under the existing case management plan and discovery schedule, the parties will need to begin exchanging document discovery in the coming weeks and file responses to interrogatories. In light of the Government's pending motion, and to avoid any potential prejudice to the Government, the Government respectfully requests that the Court hold in abeyance any pending discovery deadlines, including deadlines for document discovery and responding to interrogatories, until the Court has had an opportunity to rule on the Government's pending motion to intervene and for a complete stay of discovery.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

by: /s/
Noah Solowiejczyk
Assistant United States Attorney
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cc: Counsel for defendants Ross Baldwin and National Coin Broker, Inc. (by ECF)
Counsel for Plaintiff CFTC (by ECF)

¹ As is noted in the Government's motion, defendants Robert Jeffrey Johnson, Kathleen Hook, Precious Commodities, Inc. and NCB Wholesale Co. failed to file a timely answer or other responsive pleading by the applicable deadlines.